

#5

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Midgley et al.

Appln. No. 09/465,436

Art Unit: 2771

Filed: December 16, 1999

Examiner: Not Assigned

For: SYSTEMS AND METHODS FOR
BACKING UP DATA FILES

Atty Docket: NTK-005.01 (21653-501)

RECEIVED
NOV 15 2000
TC 2700 MAIL ROOM

CHECK Refund Total: \$445.00

Refund Ref: 02/06/2001 SCHAPMAN 0000101767

CERTIFICATE OF MAILING

I hereby certify that the foregoing document is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner of Patents, Washington, DC 20231 on 10/4/00

Robert King

Assistant Commissioner for Patents
Washington, DC 20231
Attn: Refund Section
Accounting Division
Office of Finance

Adjustment date: 02/06/2001 SCHAPMAN
11/01/2000 NVILLARI 00000015 09465436
01 FC:201
02 FC:205
-380.00 OP
-65.00 OP

REQUEST FOR REFUND

Sir:

On September 1, 2000, A filing fee was paid for the above-captioned patent in the amount of \$890.00 for a large entity fee. Attached is a copy of the Filing Receipt which indicates the payment. Submitted herewith is a Verified Statement establishing small entity status for the above-captioned patent. Accordingly, pursuant to 37 C.F.R. §§ 1.26(a) and 1.28(a), Applicant respectfully requests a refund of one half of the filing fee. Please credit this amount to our deposit account No. 061448. An originally-executed copy of this paper is being submitted herewith.

\$445.00

Adjustment date: 11/01/2000 NVILLARI
09/11/2000 JADD01 00000001 09465436
02 FC:105
03 FC:101

-130.00 OP
-760.00 OP

11/01/2000 NVILLARI 00000015 09465436

01 FC:201
02 FC:205

380.00 OP
65.00 OP

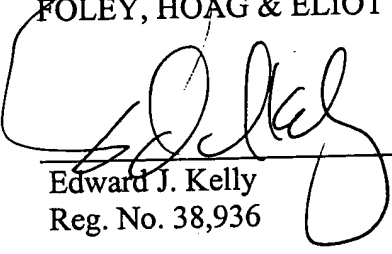
OFFICE OF FINANCE
REFUND SECTION
NOV 15 2000

Rep'n. Ref: 11/01/2000 NVILLARI 0013190400
Name/Number: 09465436
FC: 704

Should there be any questions after reviewing these papers, the Examiner is invited to contact the undersigned at (617) 832-1298.

Respectfully submitted,
FOLEY, HOAG & ELIOT LLP

Dated: 4/11/00
Patent Group
Foley, Hoag & Eliot LLP
One Post Office Square
Boston, MA 02109
Telephone: (617) 832-1000
Facsimile: (617) 832-7000


Edward J. Kelly
Reg. No. 38,936



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/465,436	12/16/1999	2771	890	NTK-005.01	6	5	1

PATENT GROUP
FOLEY HOAG & ELIOT LLP
ONE POST OFFICE SQUARE
BOSTON, MA 021092170

FILING RECEIPT



OC000000005404779

Date Mailed: 09/18/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

CHRISTOPHER MIDGLEY, MARLBOROUGH, MA ;
JOHN WEBB, MARLBOROUGH, MA ;
DAN CHARTIER, MARLBOROUGH, MA ;
CHIP GONSALVES, MARLBOROUGH, MA ;
TOM HANSEN, MARLBOROUGH, MA ;

Continuing Data as Claimed by Applicant

Foreign Applications

If Required, Foreign Filing License Granted 01/27/2000

Title

SYSTEMS AND METHODS FOR BACKING UP DATA FILES

Preliminary Class

707

RECEIVED
NOV 15 2000
TC 2700 MAIL ROOM

RECEIVED

SEP 20 2000

PATENT DEPT.

Data entry by : KING, DORIS

Team : OIPE

Date: 09/18/2000



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231